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[No. 18478- LFS (Apl)12/2008/HUD.]

HOUSING & URBAN DEVELOPMENT DEPARTMENT

RESOLUTION

The 9th July 2008

Sub : Admissibility of Time Bound Advancement scale (Sr. Pay Scale) under Revised Scales of Pay, 2006 to the employees of Municipal Corporations.

Consequent upon the revision of scales of pay of the employees of Cuttack Municipal Corporation & Bhubaneswar Municipal Corporation of the State vide Housing & Urban Development Department Resolution No.22994, dated the 13th October 2006 read with Corrigendum No.795, dated the 11th January 2007, the Orissa Municipal Employees' Federation demanded to allow them Time Bound Advancement Scale (Senior Pay Scale).

2. The matter was on active consideration for some time past. After careful consideration, Government have been pleased to allow the Time Bound Advancement Scale (Senior Pay Scale) to all employees of the Municipal Corporations of the State.

3. The Time Bound Advancement Scale is also allowed to the employees of Municipal Corporations on the said Revised Scales of Pay, 2006 with effect from the date of publication of this Resolution on completion of 15 years of municipal service in a post or grade subject to satisfactory performance and fulfillment of other conditions prescribed for promotion to the higher grade. The municipal employees those who have already been completed 15 years of service in a post or grade and in a particular scale of pay are also entitled to come over the Time Bound Advancement Scale from the date of issue of this Resolution.

4. Fixation of pay in the Time Bound Advancement Scale shall be made in the manner as indicated in provision of sub-rule (b) of Rule 74 of O.S.C. and such other instructions

and orders in that behalf as may be issued by Housing & Urban Development Department from time to time with due concurrence of Finance Department provided that :

- (i) fixation of pay in the advancement scale shall not be made unless the pay of the municipal employees in an appropriate Revised Scales of Pay, 2006 has not been actually fixed under the provisions of these rules;
- (ii) when an employee in the advancement scale of pay is promoted and the scale of pay of the promotional post is identical with the scale of pay of advancement scale, the pay in such cases will be fixed in the manner as indicated in sub-rule(d) of Rule 74 of the Orissa Service Code. In cases, where the advancement pay scale of the post is higher than the scale of the promotional post, the pay in the promotional post may also be fixed in the manner as indicated in sub-rule (d) of Rule 74 of O.S.C. and excess amount, if any, drawn in the advancement scale on the date of promotion over the maximum of the promotional scale wherever necessary may be protected as reducible personal pay and would be observed in future increases in pay including the increases due to stagnation of increment.
- (iii) the date of increment in the Time Bound Advancement Scale of the concerned employee will be on completion of one year from the date of such fixation in the TBA scale . In case of movement from the TBA scale to the scale of pay of the promotional post, the date of increment of such promotional post shall be on completion of one year from the date of such promotion if the pay is fixed in the manner as indicated in Rule 74 (b) of the Orissa Service Code and Rule 74 (d). In case of movement from Time Bound Advancement scale to the promotional post where the pay is fixed in the manner as indicated under sub-rule (d) of Rule 74 of Orissa Service Code in the promotional post, the date of increment in the promotional post would be the usual date of increment in the TBA scale.
- (iv) on placement in the Time Bound Advancement scale, the concerned employee shall continue to perform duties of original post and will continue to hold the old designation till such time as he/she is actually promoted to the higher grade as per prescribed rules on the occurrence of vacancy /vacancies.

5. The Time Bound Advancement Scale is applicable to the Corporation employees who are drawing the pay in the regular scales of pay in pursuance of Para 2 (VII) of this Department Resolution No.22994/HUD., dated the 13th October 2006.

6. Applicability of this Time Bound Advancement Scale to the employees of Municipal Corporations are subject to the following conditions—

- (i) No additional grant-in-aid shall be provided by the State Government on account of applicability of Time Bound Advancement Scale to the employees of Municipal Corporations.
- (ii) The additional financial implication shall be borne by the concerned Municipal Corporations of the State from out of their own non-debt income without sacrificing the developmental needs of the public and in no case the grant/grants given to the Municipal Corporations of the State for various developmental works including grants given/to be given under 12th Finance Commission Award and Road Maintenance, Incentive linked grant under the Award of the 2nd State Finance Commission etc. will be diverted/encroached to meet the additional expenditure arising out of extending the Time Bound Advancement Scale.
- (iii) The concerned Municipal Corporation will have to raise their own resources to meet the additional expenditure liabilities on account of applicability of Time Bound Advancement Scale and in case, they are not able to meet the additional liabilities, the entitlement of this Time Bound Advancement Scale shall not be applicable to them.
- (iv) The salary and establishment expenditure should not exceed 35% of the own revenue of the Corporations. Accordingly, sanction of T.B.A Scale would be regulated to keep the expenditure within this limit.
- (v) This applicability of Time Bound Advancement Scale is applicable to those employees who have been recruited against valid approved sanctioned posts and who are in position as on the 1st January 1996. This Time Bound Advancement Scale is not applicable to the NMRs/DLRs/J.C.Workers who are not on the regular pre-revised scales of pay or those who have been irregularly appointed without any valid sanctioned post.
- (vi) In case, there is any excess payment intentionally or otherwise on any account compared to the applicability of Time Bound Advancement Scale the differential amount would be recovered / adjusted from the differential pay and allowances of the employees concerned with effect from the date of coming over to the TBA Scale.

7. This has been concurred in by the Finance Department vide their UOR No.92 (CS-I), dated the 27th May 2008.

ORDER

Ordered that this Resolution be published in the Extraordinary Issue of Orissa Gazette & forwarded to all Departments of Government/ Heads of Department/ RDCs/ District Magistrates/all ULBs of the State.

By order of the Governor

Dr. A. K. PANDA

Commissioner-*cum*-Secretary to Government